

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Autozone Parts, Inc.,

Plaintiff,

Civ. No. 09-351 (RHK/RLE)
ORDER

v.

Joel Barrick, d/b/a Minnesota Auto Zone,

Defendant.

This matter is before the Court *sua sponte*. On July 24, 2009, the Court issued an Order granting Plaintiff's Motion for Entry of Default Judgment, which *inter alia* determined that Plaintiff is entitled to an award of fees and costs in this matter. The Order directed Plaintiff to submit an affidavit setting forth the fees and costs incurred in this case within 30 days thereof. Plaintiff has now filed that Affidavit, seeking fees and costs totaling \$11,830.50.

Based on the foregoing, and all the files, records, and proceedings herein, **IT IS ORDERED** that Defendant shall serve and file a response to Plaintiff's Affidavit, if any, on or before September 4, 2009. Insofar as the Court has already determined that a fee/cost award is appropriate, *the response shall be limited to the amount of fees/costs, and shall not address the propriety of an award thereof.*

Dated: August 25, 2009

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge